

JPW



MAGIC.001C3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert T. Kulakowski  
App. No. : 10/660,265  
Filed : September 10, 2003  
For : SYSTEM FOR  
COMMUNICATING  
FACSIMILE AND AUDIO  
INFORMATION IN A  
STANDARD E-MAIL  
ATTACHMENT FORMAT  
Examiner : Scott A. Rogers

CERTIFICATE OF MAILING  
I hereby certify that this correspondence and all marked  
attachments are being deposited with the United States Postal  
Service as first-class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450, on  
February 24, 2006  
(Date)  
John M. Carson, Reg. No. 34,303

REFILING OF PETITION FOR WITHDRAWAL AS ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Director Group 2626

Dear Sir:

This is a re-filing of "Petition to Withdraw as Attorney" which was filed on July 30, 2004 in the above-identified application.

The petitioner requests permission to withdraw as attorney for applicant Robert T. Kulakowski, in all matters pending before the Patent and Trademark Office for the reasons set forth in the July 30, 2004 Petition to Withdraw as Attorney, a copy of which is attached hereto as Exhibit I.

Permission to withdraw requested in the related application No. 08/528,552 in Group Art 2626 has been granted in the decision dated April 16, 2005. As a reference, a copy of the April 16, 2005 decision is attached hereto as Exhibit II.

Appl. No : 10/660,265  
Filed : September 10, 2003


The Petitioner, on behalf of the law firm of Knobbe, Martens, Olson & Bear, LLP (Customer No. 20,995), including all of its individual members, respectfully requests permission to withdraw as attorney in the above-referenced case now pending before the U.S. Patent & Trademark Office.

Please charge any necessary fees to our Deposit Account # 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2/24/06

By:   
John M. Carson  
Registration No. 34,303  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

Attorneys of Record and Registration Numbers:

Mark M. Abumeri	43,458	Karoline A. Delaney	44,058
Azadeh Agahi	57,094	Curtiss C. Dosier	46,670
Adeel S. Akhtar	41,394	Andrew M. Douglas	51,212
Daniel E. Altman	34,115	Jennifer L. Enmon, Ph.D.	50,710
Erik T. Anderson	52,559	Michael L. Fuller	36,516
Katsuhiro Arai	43,315	Eric S. Furman, Ph.D.	45,664
Thomas R. Arno	40,490	Mark J. Gallagher, Ph.D.	43,622
James Ausley	49,076	Sheila R. Gibson	54,120
Brenton R. Babcock	39,592	John P. Giezentanner	39,993
Aaron D. Barker	51,432	Sanjivpal S. Gill	42,578
James B. Bear	25,221	Marina L. Gordey, Ph.D.	52,950
Mark R. Benedict, Ph.D.	44,531	Christy G. Lea	51,754
Frederick S. Berretta	38,004	John M. Grover	42,610
Nira M. Brand	52,648	Michael A. Guiliana	42,611
William B. Bunker	29,365	Jon W. Gurka	44,139
Ted M. Cannon	55,036	Drew S. Hamilton	29,801
Vito A. Canuso	35,471	Daniel Hart, Ph.D.	40,637
John M. Carson	34,303	John F. Heal	53,008
James W. Chang, Ph.D.	52,718	Jerry L. Hefner, Ph.D.	53,009
Che S. Chereskin, Ph.D.	41,466	Lee W. Henderson, Ph.D.	41,830
Amy Christensen Chun	52,742	Gregory A. Hermanson	53,018
Paul N. Conover	44,087	James W. Hill, M.D.	46,396
Mallary K. de Merlier	51,609	Pui Tong Ho	44,155

**Appl. No** : 10/660,265  
**Filed** : September 10, 2003

Curtis R. Huffmire	48,877	William H. Nieman	30,201
Dale C. Hunt, Ph.D.	41,857	Glen L. Nuttall	46,188
Ned A. Israelsen	29,655	Michael S. Okamoto	47,831
Bruce S. Itchkawitz, Ph.D.	47,677	Perry D. Oldham	52,082
Eric B. Ives	50,928	Darrell L. Olson	28,247
David G. Jankowski, Ph.D.	43,691	C. Philip Poirier	43,006
Russell M. Jeide	54,198	Joseph R. Re	31,291
Joseph F. Jennings	40,664	Joseph M. Reisman, Ph.D.	43,878
Stephen C. Jensen	35,556	John G. Rickenbrode	57,067
Suzanne G. Jepson, Ph.D.	51,848	Robert J. Roby	44,304
Agnes Juang, Ph.D.	55,310	Arthur S. Rose	28,038
AnneMarie Kaiser	37,649	Steven P. Ruden, Ph.D.	53,538
John N. Kandara	55,314	Raimond J. Salenieks	37,924
Benjamin A. Katzenellenbogen	53,102	Edward A. Schlatter	32,297
Lauren J. Keller	56,553	Kyle F. Schlueter	54,912
Mark J. Kertz	43,711	Ronald J. Schoenbaum	38,297
Jarom D. Kesler	57,046	John B. Sganga, Jr.	31,302
John R. King	34,362	William H. Shreve	35,678
Karl L. Klassen	54,224	Andrew H. Simpson	31,469
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Irfan A. Lateef	51,922	Raymond D. Smith	55,634
Sabing H. Lee	43,745	Paul C. Steinhardt	30,806
Karen J. Lenker	54,618	Craig S. Summers	31,430
James F. Lesniak	25,240	Sheila N. Swaroop	53,658
Linda H. Liu	51,240	Kerry S. Taylor, Ph.D.	43,947
Eli A. Loots, Ph.D.	54,715	Rose M. Thiessen, Ph.D.	40,202
Joseph J. Mallon, Ph.D.	39,287	Connie C. Tong	52,292
Don W. Martens	21,107	Michael H. Trenholm	37,743
Andrew N. Merickel, Ph.d.	53,317	Gerard von Hoffmann	33,043
Tiffany C. Miller	52,032	Nancy Ways Vensko	36,298
Marc T. Morley	52,051	Josué A. Villalta	54,511
Douglas G. Muehlhauser	42,018	David N. Weiss	41,371
Scott Loras Murray	53,360	Walter S. Wu, M.D.	50,816
Rabinder N. Narula	53,371	Lori Lee Yamato	40,881
Steven J. Nataupsky	37,688	Thomas Y. Yee	57,013
Eric M. Nelson	43,829	Boris Zelkind	42,250
Sharon S. Ng	53,383		

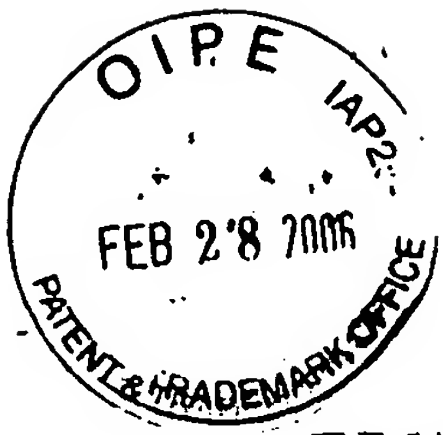


EXHIBIT 1

INMAGIC.001A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert T. Kulakowski  
App. No. : 08/528,552  
Filed : September 15, 1995  
For : SYSTEM FOR  
COMMUNICATING  
FACSIMILE AND AUDIO  
INFORMATION IN A  
STANDARD E-MAIL  
ATTACHMENT FORMAT  
Examiner : Scott A. Rogers

Group Art Unit: 2626

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

July 30, 2004  
(Date)

John M. Carson, Reg. No. 34,303

PETITION FOR WITHDRAWAL AS ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Director Group 2626

Dear Sir:

Pursuant to 37 C.F.R. § 1.36, the Petitioner requests permission to withdraw as attorney for applicant, Robert T. Kulakowski, in all matters pending before the Patent and Trademark Office. The Petitioner is authorized by, and makes this request on behalf of the law firm of Knobbe, Martens, Olson & Bear, LLP (Customer No. 20,995), including all of its individual members.

The last known mailing address of Assignee of the entire interest is:

Internet Magic  
7920 Sitio Abridor  
Carlsbad, CA 92009

Appl. No : 08/528,552  
Filed : September 15, 1995

The basis for the request for withdrawal is 37 C.F.R. § 10.40(c)(1)(vi). The following facts are submitted for consideration:

1. That Applicant has failed to pay one or more bills, the outstanding account balance has been more than \$17,001.25 since 08/01/03, and currently stands at \$25,259.53.
2. That the Applicant is unwilling to pay the full amount of the current balance.

The application was filed on September 15, 1995, and its current status is that it is suspended. There is no outstanding term for response.

Therefore, the amount of time for response, including extension under 37 C.F.R. § 1.136(a), cannot be calculated since this case is awaiting action by the PTO.

The Petitioner has taken reasonable steps to avoid foreseeable prejudice to the rights of the client. Such that the Applicant's rights are preserved, and in accordance with 37 C.F.R. § 10.40(a), the Petitioner has delivered into the possession of the Applicant the following information:

- (1) due notice that the attorney is withdrawing;
- (2) a copy of this petition, including attachments;
- (3) the time necessary for response;
- (4) the address of the Patent and Trademark Office where the applicant needs to write;
- (5) if extensions and extension fees are required, then this information has also been indicated; and
- (6) delivered to the client all papers and property to which the client is entitled.

A copy of the letter to the client is attached.

Permission to withdraw is also requested in the following related applications of the assignee Application No. 09/651,034, in Group Art 2626, and Application No. 10/660,265, in Group Art Unit 2626, both applications which are currently pending with no outstanding due date for response. In accordance with 1058 O.G. 32, this petition is enclosed in triplicate to expedite its handling.

Appl. No : 08/528,552  
Filed : September 15, 1995

The Petitioner, on behalf of the law firm of Knobbe, Martens, Olson & Bear, LLP (Customer No. 20,995), including all of its individual members, respectfully requests permission to withdraw as attorney in the above-referenced case now pending before the U.S. Patent & Trademark Office.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9/30/04

By: \_\_\_\_\_  
Authorized and Signing on behalf  
of all attorneys of record

John M. Carson  
Registration No. 34,303  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

Attorneys of Record and Registration Numbers:

Mark M. Abumeri	43,458	Paul N. Conover	44,087
Adeel S. Akhtar	41,394	Mallary K. de Merlier	51,609
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Amy C. Christensen	52,742	Jennifer A. Haynes, Ph.D.	48,868

Appl. No : 08/528,552  
Filed : September 15, 1995

Jerry L. Hefner, Ph.D.	53,009	Steven J. Nataupsky	37,688
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James W. Hill, M.D.	46,396	William H. Nieman	30,201
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Scott Loras Murray	53,360	Lori Lee Yamato	40,881
Rabinder N. Narula	53,371		



UNITED STATES PATENT AND TRADEMARK OFFICE

EXHIBIT 2

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1480  
ALEXANDRIA, VA 22313-1480  
www.uspto.gov

MAILED

APR 16 2005

DIRECTOR'S OFFICE  
TECHNOLOGY CENTER 2600

JOHN M. CARSON  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
620 NEWPOT CENTER DRIVE  
SIXTEENTH FLOOR  
NEWPORT BEACH CA 92660

In re Application of  
Robert T. Kulakowski  
Application No. 08/528,552  
Filed: September 15, 1995

For: INTERNET FACSIMILE SYSTEM

DECISION ON REQUEST TO  
WITHDRAW FROM RECORD

This is a decision on the Request for Withdrawal as attorney or agent and change of address filed on August 03, 2004.

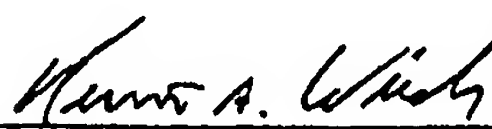
A grantable request to withdraw, as attorney/agent of record must:

- (1) Indicate the present mailing address of the attorney(s)/agent(s) who seek(s) to withdraw, and
- (2) Be signed by each attorney/agent seeking to withdraw or clearly be signed on their behalf, and
- (3) Be *approved* at least thirty (30) days prior to the maximum extendable period for response to any outstanding Office Action, and
- (4) Indicate the address to which future correspondence should be mailed.

Petitioner has met all of the above. Accordingly, the request is **GRANTED**.

All attorneys/agents of Record are withdrawn, including all of individual members with Customer Number 20,995.

All future communications from the Office will be directed to the address listed below until otherwise notified by applicant. Applicant is reminded of the obligation to promptly notify the Patent and Trademark Office of any change in correspondence address to ensure receipt of all communications from the Office.

  
Ken Wieder  
Special Program Examiner  
Technology Center 2600  
Communications  
(571) 272-2986

CC:

Internet Magic  
7920 Sitio Abridor  
Carlsbad, CA 92009